

FILED
DISTRICT COURT OF GUAM

APR 22 2005 *wha*

MARY L.M. MORAN
CLERK OF COURT

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IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,
Plaintiff.

vs.

DUANE ANTHONY CALVO,
Defendant.

CRIMINAL CASE NO. 05-00016

**REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY
IN A FELONY CASE**

The defendant, by consent, has appeared before me pursuant to Rule 11, Fed. R. Crim. P., and has entered a plea of guilty to an Indictment charging him with Attempted Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii), and 846. After examining the defendant under oath, I have determined that the defendant is fully competent and capable of entering an informed plea, that the guilty plea was intelligently, knowingly and voluntarily made, and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I therefore

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1 recommend that the plea of guilty be accepted and that the defendant be adjudged guilty and
2 have sentence imposed accordingly.

3 IT IS SO RECOMMENDED.

4 DATED this 22nd day of April 2005.

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8 JOAQUIN V.E. MANIBUSAN, JR.
United States Magistrate Judge

9 **NOTICE**

10 **Failure to file written objections to this Report and Recommendation within ten**
11 **(10) days from the date of its service shall bar an aggrieved party from**
12 **attacking such Report and Recommendation before the assigned United States**
13 **District Judge. 28 U.S.C. § 636(b)(1)(B).**
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